



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,403	05/22/2000	Jeremy P. Chaney	REALNET.105A	1910

20995 7590 10/25/2002

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER

PHAM, KHANH B

ART UNIT

PAPER NUMBER

2177

DATE MAILED: 10/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/575,403

Applicant(s)

CHANEY ET AL.

Examiner

Khanh B. Pham

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 May 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 and 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because **Fig. 1a** do not include the following reference sign(s) mentioned in the description page 9 lines 3-28: "metadata track display **100**", "category grouping window **110**", "command window **120**", "track information window **130**", "apply change to all tracks in album field 140. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application

Art Unit: 2177

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. **Claims 1-19 are rejected under 35 U.S.C. 102(e)** as being anticipated by Hempleman et al. (US 6,243,725 B1) (Hereinafter referred to as "Hempleman").

As per claim 1, Hempleman teaches a method for organizing and grouping metadata comprising:

- "selecting a set of fields of metadata" at Col. 8 lines 25-47;
- "selecting a property set" at Col. 8 lines 25-47;
- "designated at least a portion of the set of fields as related to the property set to create a set of property set fields" at Col. 8 lines 25-47;
- "selecting a first display set" at Fig. 4C;
- "designating at least a portion of the set of property set fields as related to the first display set to create a set of first display set fields" at Fig. 4C;
- "selecting a second display set" at Fig. 4G;
- "designating at least a portion of the set of property set fields as related to the second display set to create a set of second display set field" at Fig. 4G.

As per claim 2, Hempleman teaches the method of claim 1, wherein "a property set field may be related to more than one display set" at Fig. 4C and 4G;

As per claim 3, Hempleman teaches the method of claim 1, wherein “a display set may be related to more than one property set field” at Fig. 4C and 4G;

As per claim 4, Hempleman teaches the method of claim 1, wherein “selecting a set of fields of metadata includes:

- “creating new fields of metadata” at Col. 8 lines 25-47;
- “using existing field of metadata” at Col. 8 lines 25-47;
- “creating new fields of metadata and using existing fields of metadata” at Col. 8 lines 25-47.

As per claim 5, Hempleman teaches the method of claim 1, wherein “selecting a property set includes: creating a new property set; or using an existing property set” at Col. 6 lines 24-30 and Col. 8 lines 25-47.

As per claim 6, Hempleman teaches the method of claim 1, wherein “selecting a first display set includes: “creating a new display set or using an existing display set” at Col. 6 lines 24-30.

As per claim 7, Hempleman teaches the method of claim 1, wherein “selecting a second display set includes: “creating a new display set; or using an existing display set” at Col. 6 lines 24-30.

As per claim 8, Hempleman teaches the method of claim 1, further comprising: “storing at least one of the set of field of metadata, the property set, the set of property fields, the first display set, the set of first display set field, the second display grouping, or the set of second display set field in a database” at Col. 4 lines 35-65.

As per claim 9, Hempleman teaches a method for organizing metadata comprising:

- “creating a property set” at Col. 8 lines 25-47;
- “selecting a set of metadata fields related to the property set wherein the metadata fields correspond to a data type” at Col. 8 lines 25-47;
- “creating a set of display grouping” at Fig. 4C;
- “grouping the selected set of metadata fields into at least one of the display groupings to form metadata field grouping” at Fig. 4C.

As per claim 10, Hempleman teaches the method of claim 9, further comprising: “storing the property set, the set of display groupings, and the metadata field grouping in a database” at Col. 4 lines 35-65.

As per claim 11, Hempleman teaches a method for dynamically display a set of metadata comprising:

- “receiving a property set wherein the property set includes a set of display groupings and a set of metadata fields wherein the metadata fields are related to at least one of the display groupings” at Col. 8 lines 25-47;
- “generating a display structure with display grouping structures based at least on the set of display groupings” at Fig. 4C;
- “populating the display groupings with metadata field structures wherein the metadata field structures are related to at least one of the metadata fields” at Figs. 4C and 4G;

- “receiving a set of metadata field data related to the set of metadata field” at Col. 8 lines 25-47 and Figs 4C, 4G;
- “populating the metadata field structures with the related metadata field data at Figs. 4C and 4G;
- “display the display structure” at Figs. 4C and 4G.

As per claim 12, Hempleman teaches the method of claim 11, wherein “receiving a set of metadata field data includes: “sending a request for metadata field data to a metadata database, and receiving a set of metadata field data from the metadata database related to the request” at Col. 4 lines 54-64.

As per claim 13, Hempleman teaches a method for allowing a user to edit metadata using a graphical user interface comprising:

- “querying a metadata database for a set of metadata” at Col. 4 lines 55-65;
- “dynamically displaying the set of metadata in a display window in a graphic user interface wherein the set of metadata data is organized into category sets and display window groups” at Col. 6 lines 7-13;
- “receiving a request from a user to alter the displayed metadata data” at Col. 6 lines 7-13 and Fig. 3N;
- “processing the request to alter the displayed metadata data” at Col. 6 lines 7-13 and Fig. 3N;
- “updating the display of the metadata data in the display window” at Col. 6 lines 7-13 and Fig. 3N;

As per claim 14, Hempleman teaches the method of claim 13, wherein “processing the request to alter the displayed metadata data includes updating the corresponding metadata data in the metadata database” at Col. 6 lines 15-20.

As per claim 15, Hempleman teaches the method of claim 13, wherein “processing the request to alter the displayed metadata data includes logging the request in a metadata database update log” at Col. 3 lines 65-67.

As per claim 16, Hempleman teaches the method of claim 13, wherein “processing the request to alter the displayed metadata data includes processing the request to alter related metadata data that is not displayed” at Col. 8 lines 25-47.

As per claim 17, Hempleman teaches a metadata editor system comprising;

- “a metadata database configured to store metadata” at Col. 4 lines 55-65;
- “a metadata organization database configured to store category and property information about the metadata that signifies relationships with the metadata” at Col. 8 lines 25-47;
- “a graphical user interface display module configured to display subsets of the metadata wherein the subsets of metadata are organized by display groups” at Fig. 4G.

As per claim 18, Hempleman teaches the method of claim 17, further comprises “a metadata update module configured to receive updates to the metadata from a user, send the updates to the metadata database, and send the updates to the graphical user interface displayed module” at Col. 6 lines 7-25.

As per claim 19, Hempleman teaches a metadata editor system comprising:

- “means for storing metadata” at Col. 4 lines 55-65;
- “means for storing metadata organization data wherein the metadata organization data includes groupings that define subsets of metadata as well as display sets” at Col. 8 lines 25-47;
- “means for displaying subsets of metadata wherein the subsets of metadata are organized by display set” at Fig. 4G.

Conclusion

6. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is **(703) 305-9601** for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (703) 308-7299. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Art Unit: 2177

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)746-7240.

Khanh B. Pham
Examiner
Art Unit 2177

KBP
October 17, 2002


JEAN R. HOMERE
PRIMARY EXAMINER